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LV GAMING VENTURES, LLC
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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 LV GAMING VENTURES, LLC, a
12 Nevada limited liability company,
13 Plaintiff,

14 v.

15 THE M RESORT PHUKET, an unknown
entity doing business in Phuket, Thailand;
16 and INFINITY ONLINE SOLUTIONS
Co., LTD., an unknown entity doing
17 business in Phuket, Thailand,

18 Defendant.

Case No. 2:11-cv-01552-LDG-VCF

19 ORDER GRANTING
20 MOTION TO EXTEND TEMPORARY
21 RESTRAINING ORDER AND UNSEAL
22 PROCEEDINGS

23 UPON CONSIDERATION of the motion filed by Plaintiff LV Gaming Ventures, LLC
24 ("Plaintiff") to extend the court's Temporary Restraining Order ("TRO"), reset the hearing on
25 Plaintiff's Motion for Preliminary Injunction, and unseal the record in this case, the Court finds that:

26 **GOOD CAUSE EXISTS** to extend the TRO, based on the Court's findings set forth in the
27 TRO, and because Defendant The M Resort Phuket has requested the extension. As the Court
28 previously found in deciding the merits of the request for TRO:

(1) Plaintiff will suffer irreparable injury if the Court does not require GoDaddy, the
domain name registrar, to place the domain name <mresortphuket.com> ("Infringing Domain
Name") on hold and lock, and deposit them with the Court, pending litigation of this matter;

(2) Plaintiff is likely to succeed on the merits of its claim for cybersquatting under the Anti-cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), because Plaintiff has demonstrated that The M Resort Phuket and Infinity Online Solutions Co., Ltd. ("Infinity") (together "Defendants") registered the Infringing Domain Name with a bad faith intent to profit from Plaintiff's Marks (as defined in Plaintiff's Complaint and Motion for TRO) associated with the M Resort Spa Casino Las Vegas, which were distinctive and famous at the time Defendants registered the Infringing Domain Names;

(3) Plaintiff is likely to succeed on the merits of its claim for copyright infringement under 17 U.S.C. § 501(a), because Plaintiff has demonstrated that it owns a copyright in the M Resort Website and M Bar Image (as defined in Plaintiff's Complaint and Motion), and that that Defendants violated at least one exclusive right granted to copyright holders under 17 U.S.C. § 106;

(4) The balance of hardships tips in favor of Plaintiff because Plaintiff is likely to continue to suffer serious injury to its goodwill and reputation in the United States if the Court does not immediately enjoin Defendants' infringing conduct.

(5) Granting a temporary restraining order in favor of Plaintiff is in the public interest because the imposition of injunctive relief will prevent consumer confusion as to the source of Defendants' services protect Plaintiff's copyrights against acts constituting infringement; and

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

(1) the hearing currently set November 3, 2011, at 9:00 a.m. on Plaintiff's Motion for Preliminary Injunction IS HEREBY VACATED and RESET TO BE HEARD on Thursday, November 10, 2011, at 9:30 a.m.

(2) the Court's Temporary Restraining Order ("TRO") entered October 25, 2011, shall be extended through Thursday, November 10, 2011, the date of the hearing on Plaintiff's Motion for Preliminary Injunction. Specifically, GoDaddy shall keep the Infringing Domain Name on hold and lock, and GoDaddy shall continue to ensure that the current domain name server information for the Infringing Domain Name is disabled; and

1 (3) the Court filings in this matter SHALL BE UNSEALED and available for public
2 viewing and allow all subsequent documents and hearings to be filed and heard publicly.

3 ENTERED this 3 day of November, 2011, at 9:47 a.m.

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6 
UNITED STATES DISTRICT COURT JUDGE
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9 Respectfully submitted by:

10 BROWNSTEIN HYATT FARBER SCHRECK, LLP

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12 By: 

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